

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

JOHN G. PEDICINI,

2007 JUL 26 P 3:42

Plaintiff,

U.S. DISTRICT COURT  
DISTRICT OF MASS.  
CIVIL ACTION NO. 04-12395-JLT

-vs-

UNITED STATES OF AMERICA  
ET AL.,

Defendants.

AMENDMENT TO PLAINTIFF'S RULE 26(a)(3) DISCLOSURES  
DUE TO MEDICAL ISSUE WITH WITNESS

Pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure, Plaintiff, John G. Pedicini, provides the following amendment to Rule 26(a)(3) pretrial disclosures.

- (A) the name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises:

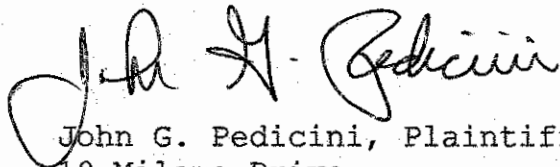
Plaintiff moves to withdraw the name of Jonathan Lash as a witness due to a medical issue with his wife, who is pregnant and is now due to give premature birth to their fourth child on or about August 13, 2007 at the start of this trial.

Plaintiff seeks to replace Mr. Lash with his deposition on August 2, 2005 and hereby makes the following amendment.

(B) The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony:

Due to the medical issue involving Mr. Lash's wife, cited above, Plaintiff moves to withdraw him as a witness and add his deposition from August 2, 2005. Jonathan Lash is no longer employed by the USDA and lives more than 100 miles from the place of the trial. Pursuant to Rule 32(a)(3)(B) of the Federal Rules of Civil Procedure, Plaintiff will present the Deposition of Jonathan Lash, dated August 2, 2005, pp. 1, 9, 15-16, 19, 23-30, 34-35, 38-39, 44, 55-57.

Respectfully submitted,



John G. Pedicini, Plaintiff Pro Se  
10 Milano Drive  
Saugus, MA 01906  
(781) 248-1385

CERTIFICATION UNDER L.R. 7.1

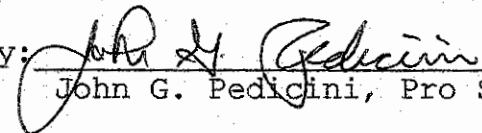
I certify that in accordance with Local Rule 7.1, I have conferred with Defendants' counsel and have attempted in good faith to resolve the issues addressed in this Motion on July 26, 2007 and that we were unable to resolve the issues set forth in this motion.

  
John G. Pedicini, Pro Se

7/26/07  
Date

CERTIFICATION OF SERVICE

Pursuant to L.R.5.2(b), I hereby certify that a true copy of the above document was served on the Defendants on July 26, 2007, via certified mail, return receipt requested to: Gina Walcott-Torres, Assistant U.S. Attorney, Moakley Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210.

By:   
John G. Pedicini, Pro Se

7/26/07  
Date